

Town of Bluff
Planning and Zoning Commission Regular Meeting Minutes
Wednesday, January 5, 2022 at 6:00 pm
VIRTUAL - Bluff Community Center
190th 3rd East, Bluff, Utah 84512

APPROVED

6:01 Roll Call: Sarah Burak (Chair), Amanda Podmore, Marcia Hadenfeldt, Malysa Egge, Ed Dobson
P&Z Advisors: Deborah Westfall
Town Council Representatives: Luanne Hook

Approval of minutes from 12/15/2021 regular meeting and 12/20/2021 work session: Hadenfeldt asked to correct the wording regarding lot division and development to accurately reflect the difference between major and minor subdivisions. Dobson made the motion to accept the December 15th regular meeting minutes with the correction. Hadenfeldt seconded the motion. Podmore – Aye, Burak – Aye, Hadenfeldt – Aye, Egge – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously; minutes approved.

Hadenfeldt asked to delete an incomplete sentence. Dobson motioned to approve the December 20th work session minutes as amended. Hadenfeldt seconded the motion. Burak – Aye, Podmore – Aye, Egge – Aye, Hadenfeldt – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously; minutes approved.

Public Citizens to Be Heard:

Luanne Hook was approached by a resident with questions regarding replacing a trailer on their lot with a new trailer. Hook asked whether setbacks would apply to the new structure if it was to be placed in the exact same spot, and whether they would need to fill out an application (Land Use Clearance). Burak confirmed that a new structure would be required to meet setbacks and paperwork would need to be filled with Planning and Zoning. It would be the same as if a building was destroyed; the new build would need to meet the current code and setbacks. Hook asked if the building was on an alley, if that would make a difference, and Burak said that setbacks would apply unless Town Council would grant the alley to the resident. Hook stated that Town Council is quite a long time away from that discussion. Hook will relay the information to the resident.

Diana Davidson asked the commission to remove the last paragraph of the Light Ordinance referring to a \$300 per day fine. Davidson has reviewed multiple comparable towns' lighting ordinances and did not find any with a comparable fine and feels the final paragraph of the ordinance will not promote community unity. Davidson also asked to receive more details regarding the University of Utah student light project: are the meetings virtual or in person, when information will be available, and more details for the plan. Davidson's third question was to whether Bluff would be seeking an official Dark Sky designation as a town. She has reviewed the lighting ordinances for Helper, Torrey, Flagstaff, Springdale, Ridgeway (CO), and Cottonwood (CO) and noted that her understanding was Bluff indexed Torrey's ordinance. She noted that Torrey's was among the most conservative. Davidson asked if Bluff's goal was to achieve the designation, and whether the designation would be able to be obtained without the ordinance being so burdensome on the town?

Burak replied to Davidson's questions and said that the Light Ordinance was discussed during the Town Council meeting; the ordinance is being sent back to Planning and Zoning for recommendations and the last paragraph will be reviewed. Dobson noted the ordinance has been put on hold (a stay of enforcement) for six months to allow time to deal with many of the questions.

Burak shared that the first meeting with the University of Utah students and Town Council will be open to the public, but will involve getting to know the stakeholders. The second meeting taking place in February will be geared towards the public and will include a presentation by the students and will allow time for citizen questions. The meetings will take place the 4th Tuesday in January and February, virtually. The students will be completing an analysis of one business, including a cost analysis of coming into compliance with the Lighting Ordinance. The community can then use that sample for comparison for other businesses. The University is also working with Torrey on their Dark Sky maintenance plan.

Burak confirmed that Town Council had signed a resolution that the Town of Bluff would be working towards a Dark Sky community designation. Planning and Zoning looked at Torrey and Springdale for Bluff's existing ordinance, and the requirements such as specific lumen limits and the ability to maintain the light levels are required for the designation.

Podmore thanked Davidson for completing the research into comparable towns' lighting and asked Davison to please email P&Z if there were any specific findings she would like to share or have reviewed.

Andrew Gulliford asked the commission to consider incorporating formal forms and paperwork for citizens to use to document concerns. He posed that he is concerned about light pollution, but does not have a formal way to ensure a paper trail if he was to file a concern with the town. Burak thanked Gulliford for his comment and expressed that there are issues with enforcement at this time. She stated the Town is still trying to understand what enforcement looks like, and the commissioners will certainly consider what standardized documentation should be implemented.

Old Business

1. **Update from Town Council:** Hook shared that Linda Sosa, Ann Leppanen, and Luanne Hook all took their oaths of office for the next four years. Sayers will continue to hold the Mayor Pro Tem position. Hook also noted work is being done for the CDBG survey, a meet and greet meeting will take place at the Community Cultural Center on January 18th to celebrate the 10th anniversary of Utah Dine Bikeyah (tentatively scheduled for 11AM, outside), an accountant has been contacted, and public comments will now take place at the beginning of the Town Council meetings and public comments will not be accepted during the meetings. There is an open Planning and Zoning position for San Juan County. The council approved the Variance Ordinance. Ordinance 6.10.110 (Lighting Ordinance) will be sent back to Planning and Zoning at the recommendation from the town's attorney; the mayor would like to see this ordinance as part of the public hearing, if possible, to maintain momentum. Finally, Hook thanked Sarah Burak and Adrienne Caesar for their work on Dark Skies and noted the school is working with the town on their lighting, as the school would usually be exempt from the ordinance.

New Business

1. **Land Use Clearances, Lot partition application (Warren):** The commissioners briefly discussed Warren's lot and confirmed it is located in Zone A2. All available paperwork had been submitted, proper entryway and access was reviewed and there were no other changes from the previous discussions. Hadenfeldt made the motion to approve the lot partition application separating Warren's property into two lots. Podmore seconded the motion. Dobson – Aye, Egge – Aye, Burak – Aye, Hadenfeldt – Aye, Podmore – Aye. All in favor, none opposed. The motion passed unanimously.

Warren, as advised by her lawyer, would like to sign or fill out a formal land partition form. She stated that while she filled out both the Land Use Clearance and the Subdivision Application forms, she did not sign or fill out any Land Partition form. Burak stated that part of this meeting was approving a Land Partition form and once it was approved, she would provide Warren with the paperwork. Copies of the approved forms from this meeting will be provided to Warren this week by Burak.

2. **Recognition of Debbie Westfall, P&Z Advisor:** The commission thanked Debbie Westfall for her research, time, effort and invaluable advice as the P&Z advisor for the past four years (and prior). Thank you, Debbie!

If anyone would like to apply to fill the role, they may contact the Planning and Zoning Commission.

3. **Schedule P&Z Officers' Election:** Burak proposed moving this agenda item to the following meeting. As homework, commissioners should decide which roles they are interested in filling.
4. **Review Variance and Partition Forms, Recommend to Town Council:** The commissioners agreed that if P&Z has the authority to approve Variances, they are the only body that needs to approve the Variance Form and it would not need to go to Town Council for review or approval.

The commissioners discussed which definitions would be appropriate to include on the application, and ultimately decided that "Minor Partition" and "Major Partition" definitions would not be included on the application, as they are not defined in the Subdivision Ordinance. The application was edited to remove the distinction between the two, as the application will need to be filled out for any type of partition. Under number "P" in the Subdivision Ordinance it states "partition subject to further review", but does not include any further definitions. Cosmetic and formatting, address line, signature line editing will be added to the Land Partition Application after the meeting concludes to keep the meeting progressing.

Podmore made the motion to approve the Land Partition Application with the addition of the address line and signature spot. Hadenfeldt seconded the motion. Egge – Aye, Burak – Aye, Hadenfeldt – Aye, Podmore – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously.

The cosmetic changes will be made and Burak will provide a copy to Jackie Warren.

Burak proposed since only ten minutes remained, not enough time was available to finish the Variance form. It was decided this agenda item should be moved to the next regular meeting. The commissioners also agreed a work session would be required to finish the Zoning Ordinance edits (next agenda item). The commissioners noted the importance of allowing the public time to review the changes, and ensure the required ten days' notice was provided by mailer. The commission **tentatively plans to hold a public hearing on Wednesday, February 16th**, with a regular Planning and Zoning meeting on Wednesday, February 2nd.

5. **Finish edits of zoning ordinance:** Moved to Work session.
The commissioners decided to schedule a work session to complete this agenda item. The **Work Session will take place virtually on Wednesday, January 17th at 6:00PM**. The meeting is scheduled from 6:00-7:30PM to allow time to finish the agenda item.
6. **Hearing schedule, timeline for notices:** The commission will review the timeline during the work session and will aim for a February 16th public hearing. This will allow for a ten (10) day mailing period, after the Work Session on January 17th.
7. **Review hearing notice letter:** Hadenfeldt has continued to list the items that have been discussed for the hearing notice letter. The letter cannot be finished until the zoning ordinance edits have been completed. Podmore asked whether "Land Owner" or "Property Owner" would be the correct term; Podmore will look in the Powers and Duties book.
8. **Items for next agenda:**

Work Session – January 19, 2022, 6:00 – 7:30PM

Zoning Ordinance Edits

Hearing Timeline

Task Assignment for Mailings

Regular meeting – February 2, 2022, 6:00PM

Officer Elections

Variance Form

Setting Deadline for Goals

Discussion of Dark Sky/Lighting Ordinance

9. **Other:** Hadenfeldt had been approached by a citizen stating that BARC (Bluff Animal Rescue Committee) was making changes to the zoning code. Hadenfeldt wanted to ensure the public knows that no entity, including BARC, is making changes to the code. Suggestions are always welcome from the public, organizations, or individual citizens. Planning and Zoning will then use those recommendations to review and discuss the agenda item, and form decisions as a commission. BARC may have brought up the issues, but the discussion is open for all to comment on and for the P&Z Commission to discuss.

Hadenfeldt made the motion to adjourn the meeting. Podmore seconded the motion. Burak – Aye, Egge – Aye, Dobson – Aye, Podmore – Aye, Hadenfeldt – Aye. All in favor, none opposed. Motion passed unanimously. Meeting adjourned at 7:06PM.